

REMARKS

Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request entry of the amendment and reconsideration of the claims in view of the remarks presented below.

Claims 1 and 6 were amended and claim 5 was canceled. Thus, claims 1-4 and 6-13 are pending in the application.

Claims 1, and 4-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Silley (US 5,861,305) in view of Findley (US 4,892,830). Applicants respectfully traverse these rejections.

Claim 1 was amended by incorporating the subject matter of original claim 5 and adding a means for causing the environmental conditions inside the closed passageway to be brought up to the same environmental conditions as that inside the second cabinet before said second closure can be opened. Support for this amendment can be found on page 8, lines 18-to 31 of the application as originally filed. Thus no new matter was added.

Neither Silley nor Findley teach or even suggest the combination recited in amended claim 1. None of the prior art shows the combination of an open cabinet for ease of access to material that is used on conjunction with a closes cabinet. Further, none of the cited art shows the additional feature of having an intermediate area between the open cabinet and closed cabinet where material can be held in a controlled environment before passing to a closed cabinet. A person skilled in the art would not think to use such a combination as he would want either a cabinet to be open so access is easy or a closed cabinet so the environment is controlled. Such a skilled person would not think to obtain both, as is supplied by the apparatus of amended claim 1.

Silley describes a controlled anaerobic atmosphere apparatus comprising a central "lock" chamber, flanked by two chambers. This lock chamber allows for access to the system. The chambers either side of the lock are both sealed to provide a controlled anaerobic atmosphere.

One of a pair of ports (provided on the front of each flanking chamber) may be used to insert/remove items directly into a flanking chamber, rather than going via the lock chamber. Each port has an inner and outer door, defining a port chamber entry into the lock chamber. However, there is no teaching of the use of a cabinet with a front opening and the one use of circulating air providing a system where there is ease of access to the system because Silley discusses in fact an anaerobic system, where no air is present. Since no air is present, Silley thus teaches away from the open system claimed in amended claim 1.

Additionally, Silley does not teach or suggest a chamber where material can be acclimatized before being passed to a closed chamber where the chamber has two closures that can only be opened one at a time. Silley teaches that the locks can be opened as requested, without any control or requirement that one lock be closed before the other is opened.

Further, Silley teaches that in order to introduce a new item to the portable chamber, for transfer to the main chamber when the apparatus is in a configuration such that it defines an open passageway there between, it is necessary to close two doors and detach the portable chamber from the main chamber to maintain the anaerobic environment of the chamber. In contrast, the apparatus claimed in amended claim 1 allows introduction of an item into a first (open) cabinet, and from there the item may pass through the first closure into the passageway, the first closure closing and thus enabling the environmental conditions inside the passageway to be brought up to the same environmental conditions as that inside the second cabinet, before the second closure opens, enabling the item to pass into the second cabinet. The invention as defined in claim 1 thus provides an alternative, more convenient arrangement than that which is taught by Silley.

A person of ordinary skill in the art would have no motivation to alter the arrangement taught by Silley to one as claimed in amended claim 1 wherein the first and second closures are arranged such that a first closure which has opened is closed before a second closure can be opened as this goes against the manner in which Silley's apparatus is operated. It is clear from Silley that the only way in which an item can move from the portable chamber to the main chamber is by "docking" the portable chamber to the face of the main chamber, thereby defining

the airlock chamber. Once the environment inside the airlock chamber is at a desired state, the user opens the door between the main chamber and airlock chamber. The only way for a user to open this door is from the inside of the main chamber. Once this is open it is possible for the user to open the door between the airlock chamber and the portable chamber and subsequently move an item from the portable chamber to the main chamber. There is no control of opening of the door. Therefore it simply would not occur to a person of ordinary skill in the art to modify the disclosure of Silley to arrive at the invention claimed in amended claim 1.

The Examiner has cited Findley as teaching an apparatus with means to circulate air in a chamber. Even when Findley is added to Silley for this purpose, the combined references still do not teach the invention claimed in amended claim 1 because even taken together, the references still do not teach or even suggest a means for causing the environmental conditions inside the closed passageway to be brought to the same environmental conditions as existing inside the second cabinet before the second closure can be opened.

For all of the above reasons, Applicants respectfully submit that claim 1 as amended is patentable over the cited art, taken alone or in combination. Accordingly, Applicants request that the rejections of amended claim 1, and the claims dependent therefrom, be withdrawn and the claims allowed.

CONCLUSION

Applicant has carefully reviewed the arguments presented in the Office Action and respectfully requests reconsideration of the claims in view of the remarks presented. In light of the above amendments and remarks, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Should the Examiner have any questions concerning the above amendments and arguments, or any suggestions for further amending the claims to obtain allowance, Applicant requests that the Examiner contact Applicants attorney, John Fitzgerald, at 310-242-2667.

Please charge any additional fees payable in connection with this Amendment to our Deposit Account No. 06-2425.

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Respectfully submitted,

FULWIDER PATTON LLP

By: /john k. fitzgerald/
John K. Fitzgerald
Registration No. 38,881

JKF:vmm

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
322241